

**MISSISSIPPI WIRELESS COMMUNICATION COMMISSION**

**June 4, 2009 Meeting Minutes**

Place: MDOT Auditorium

**Commission Members Present:**

**MS Department of Corrections  
MS Emergency Management Agency  
MS National Guard  
MS Association of Supervisors  
MS Department of Environmental Quality  
MS Department of Transportation  
MS Association of Fire Chiefs  
MS Office of Homeland Security  
MS Department of Information Technology Services  
MS Department of Health  
SafeCity Initiative  
MS Municipal League**

**Chris Epps  
Tom McAllister  
Gary Ladd  
Steve Gray  
Keith Harkins  
Willie Huff  
Tom Lariviere  
Jay Ledbetter  
David Litchliter  
Mike Lucius  
Joseph McArthur  
Quincy Mukoro**

**Advisory Members Present:**

**Senate Finance Committee, Chair  
Senate Public Utilities Committee, Chair**

**Senator Dean Kirby  
Senator Nolan Mettetal**

Chairman Epps called the meeting to order at 1:30 PM, welcomed everyone and noted the presence of Advisory Board Members, Senators Kirby and Mettetal.

Chairman Epps called for a motion to approve the minutes of the May 7, 2009, meeting. Mike Lucius made the motion and it was seconded by Keith Harkins. The motion passed with none opposed.

Chairman Epps recognized Keith Harkins to report for the Procurement Review Committee. Mr. Harkins reported that the Committee had heard three (3) requests from DeSoto County for the purchase of P25 compliant radios (DeSoto County Emergency Services - \$55,490.00; DeSoto County Road Department - \$14,229.00; and DeSoto County Sheriff's Office - \$92,360.00 for a Total amount of \$162,079.00). There was one request from the City of Southaven Police Department for upgrading and replacing old radios with P25 compliant radios for \$243,392.00. Mr. Roach brought the specifics of the requests before the Commission. The Committee recommended approval of all requests. Mr. Harkins made the motion for approval and it was seconded by Tom Lariviere. The motion passed with none opposed.

An additional request came from the staff of the Wireless Communication Commission (also presented by Mr. Roach) to purchase P25 compliant radios to increase the cache of portable radios for distribution in emergencies and special events. The cost is not to exceed \$850,000.00 which is available through PSIC Strategic Reserve Funds. The Committee recommended approval of the request. Mr. Harkins made the motion for approval with a provision that the Wireless Communication Commission staff conduct further discussion with the Procurement Review Committee in the next few days to determine the best equipment to buy. The motion was seconded by Tom Lariviere. The motion passed with none opposed.

Willie Huff reported for the Governance/Interoperability Committee and shared that they are continuing technical contacts with counties that submitted letters of intent for PSIC funds. To date only three (3) counties have met all requirements that were set but meetings will still be set up with all submitters to talk through technical requirements. In all of our interviews and technical visits, speeches at associations, etc., the prevailing concern with all local agencies is the

recurring \$200.00 per year per unit costs which was set by the Commission. The cost is prohibitive for agencies that would like to come onto MSWIN. Mr. Huff would like to see a committee formed or that someone be designated to work with the Legislature to determine what they would like to do for the local agencies in regard to the State funding the continuing operational costs of the system. We also need to look at funding streams such as an increase in car tags, driver's license, etc. – things that have been done in the past.

Chairman Epps questioned how much it is estimated to cost to run the system annually. Mr. Roach noted that at the end of the warranty period following Phase 3, the projected annual cost is a little over \$12M dollars. Projected expenses include lease charges for approximately 75 leased towers at about \$5K per month. If we could get adequate federal funding up front to build towers for the state to own, the cost would be considerably less (probably in the \$6M to \$7M range), if we didn't have those recurring lease charges. Funding annual cost at that level would be more attractive to the state Legislature. Some local agencies are desperate to just have operability, let alone interoperability, which is the ultimate goal. Some locals think they can come up with some one-time money from various grant programs to purchase radios, but when you look at a poor county with 200 units at \$40K a year, there's no way they can afford that amount of money for recurring fees. Even larger counties with 1300 radios can find it cost prohibitive at \$260K per year.

Chairman Epps asked if Mr. Huff is finding that part of the problem is that the counties are not paying anything now so the concept of being charged is new to them. Mr. Huff noted that they are paying charges now including electricity to towers, maintenance fees, etc. Many of them, however, have transmitters on cellular towers or some other magnanimous agencies have allowed them to put a radio transmitter on their towers so they are not paying a lot of recurring fees.

Quincy Mukoro referenced the presentation that was given to the Commission on the LWIN in April 2009 and noted that the prohibitive factor for locals to come on board to their network was also their cost per unit per year fee. The presenter noted at that time, that maintenance is now picked up at the State level from the General Fund. This has opened the door for many of locals to come on board. LWIN had 71 sites in full operation and was approaching 40,000 users with over 60% percent of those being at the local level. Mr. Mukoro indicated that this would be the model we should refer to when we talk to our Legislators. He feels we should look at how Louisiana handled it and get advice to share with our Legislature on how to approach the situation without fees.

David Litchliter shared that we are doing this in phases and the \$12M in maintenance fees is where we will be in about the next four (4) years but we're not at that level now. Hopefully the economy will be better then and possibly more flexibility in the budget that we don't have today. Mr. Huff noted that we are spending money for operation costs now out of funds that could be going to build tower structures. If we were able to use that money for structures rather than operation costs we could build more towers sooner.

Chairman Epps asked if the Senators present would like to make any comments on the issue. Chairman Epps noted that he and Senator Kirby had worked together on the Drug Court Program a few years ago and put an assessment on speeding tickets among other things to aid in funding the program. That strategy has been successful in providing for the needs of that program even with additional funds available at this time. Chairman Epps wondered if we could look at options similar to those for these recurring costs.

Senator Kirby noted that while the Legislature has approved \$30M in bonds this year, bonds are not for recurring expenses. He further stated that the Legislature realizes how important this is and that entertaining adding fees on something that can generate money on an annual basis could be feasible for this purpose.

Senator Mettetal asked if the Commission has reviewed any options or found anything that could be a possible funding source. Mr. Huff stated that some years ago, agencies were allowed to add \$10 dollars to traffic tickets and that money went into a repository managed by DPS. The local agency is allowed to get money out less 1% for maintenance fees. There are other agencies that write tickets and that money could go to that fund as well as locals. If the Legislature is receptive to that type of effort, we can work on that.

Mr. Huff indicated that two counties have been approved for PSIC funding and the committee is continuing technical reviews on grant requests. The committee is working toward processing as many as possible to get their equipment and whatever they need to interoperate with MSWIN.

Chairman Epps thanked the Senators for their input and continued support and thanked Mr. Huff for his report. Chairman Epps also said that he will appoint a committee at the next meeting to look at the funding issue, assessments, etc.

Chairman Epps recognized Bill Roach to give the Commission a MSWIN Project Update. Mr. Roach shared an updated map and reported that all green sites in the Southern Phase are in Wide Area Trunking today and are ready for operation should we need it in the event of an emergency. The towers in the West area (Amite, Wilkinson, Adams, Jefferson, and Franklin counties) are all standing today with the exception of two that are under construction. We are working to get to Jackson by the end of June. There are 12 sites we need to complete two paths into the Jackson Metropolitan area and 9 sites that are critical to provide us microwave connectivity from Jackson to the coast. Those sites are all under construction now. We will have all the microwave hung on the 6 sites up the west side around Utica and Brandon. We're concentrating on the west side because we already have an ETV tower standing at Raymond. It is the quicker path and should be complete by June 30<sup>th</sup>. The east side coming up around the Morton area should be completed by mid July. There are 3 other sites in due diligence and the other 40 sites have been identified. In the Northern Phase, all 47 sites have been identified.

The Commission was shown comparison maps for mobile coverage today and mobile coverage on June 30<sup>th</sup>. On June 30<sup>th</sup> coverage will encompass the southern half of the state. Mr. Huff made comments about the great coverage the system provides. He was in Hammond, LA this morning and had walkie-talkie coverage (not Mobile radio) to Kentwood, LA. During the pilot, they had walkie-talkie coverage from Fountainebleau to Pike County. Mr. Roach shared that MSWIN will be adding the Fountainebleau site to provide extra coverage out into the Gulf for Marine Resources and anyone else out in the coastal area. He also noted that when he is out in the field, he has experienced a little better coverage than what Motorola predicts.

Commissioner Epps asked if the deadline has passed for PSIC Grant requests and if the majority of the requests received came from the southern counties. Mr. Huff said that the deadline has passed but they are still accepting requests. They will approve the requests from those that met the deadline first and then go back and visit the counties that missed the deadline. There are 14 requests from the southern area. To date, they have talked to 13 of those 14.

Mr. Litchlitter provided a report on the monthly expenditures. He noted monthly expenditures of about \$360,000.00 for May with a balance of \$23,924,900.46. Invoices totaling approximately \$1M are currently pending. The \$10M dollar short term loan from the 2<sup>nd</sup> \$10M bond allocation has been received.

Mr. Litchlitter also reminded the Commission that they had previously approved an award for a tower building bid that subsequently went before the ITS Board and was approved. We have received a protest on that bid. Mr. Litchlitter ruled on it in protest and they appealed his ruling to the ITS Board. As a result, the ITS Board has directed us to re-bid. A memorandum that was handed out to the Commission explains the reason the ITS Board would like to see a re-bid. The plan right now is to work on the RFP, re-advertise it on 6/9/09, have a Vendor Conference on

6/19/09, and open proposals on 7/13/09. The plan is to reword and strengthen some requirements, making it clearer what our priorities are.

Mr. Huff asked if the contractor awarded had incurred any expenses since the time of the award and if their bid pricing was published. Mr. Litchliter noted that it was possible that expenses had been incurred. There will be conversations with the contractor and we will do the right thing. The price was published in the Board write up. Grain Communications was the only protestor. The evaluation of Grain's proposal didn't indicate sufficient experience in tower building and they were therefore disqualified. Grain felt like request was for a company to lease towers. They felt that the amount of credit given for tower building experience was not appropriate. They felt their proposed cost would have won the bid with a zero (0) in the experience category. Mr. Litchliter specified that we intend to be more explicit in our wording.

Mr. Huff asked if we were still going to assure that the Project Manager will be there for the project. With the re-bid, will we allow a company to rent a Project Manager temporarily and then not be present as needed?

Mr. Roach explained that our requirement in the first RFP was that the contractor must have built a 50 site network with at least 10 of those sites built concurrently. The requirement for experience meant that the prime contractor must possess the experience that we required. What will change with the re-bid is that the prime contractor can have an onsite Project Manager dedicated full time to this project, here at all times, that has the experience required that meets the 50 site network, 10 site concurrently experience stipulation. That Project Manager must have worked with the sub-contractors before and in the same roles as they are proposed to do on this project. What we don't want is to have a Project Manager that is here one day a week and sits in the office. We need someone who knows the construction business. Mr. Litchliter said the RFP will be brought back up before the Commission after proposals have been reviewed and evaluated.

Chairman Epps asked how the Statewide Communication Interoperability Plan Workshop scheduled on May 19<sup>th</sup> went. Mr. Roach said that they accomplished a great deal in getting our SCIP updated. There is a required report due to DHS in July and that meeting went a long way in getting us ready to submit that report.

Chairman Epps recognized Mike Murphy of GSRCPsi (Gulf States Regional Center for Public Safety Innovations) who shared that he was in Washington last week and in discussions about some Interoperability Technology money becoming available. We have positioned ourselves with the 'Three State Project' to be in line for possible funds. No one else in the country has done this. The GSRCPsi is preparing a White Paper to submit to the steering committee. There is a lot of interest nationally in what we're doing and we want them to back that up with funding.

He also noted that in Louisiana with LWIN, the real impediment to local agency participation early on was the user fee. Now that the Legislature is funding the annual budget (a general fund appropriation) for LWIN, they have approximately 42,000 local users with about 75 sites up and running. LWIN leases most of their towers and are heavily invested in T1 lines. At complete build out, the anticipated operating cost will be approximately \$15M. Louisiana will be happy to assist MSWIN in their model for the State Legislature as needed.

GSRCPsi will host a Tech Conference on October 12, 2009, on the Mississippi Coast. The Commission is invited to attend. Site has not been announced but it will be planned in the Gulfport/Biloxi area. In addition, the National Public Safety Telecommunications Council wants to do an article on the project in their next newsletter.

The next meeting will be July 2, 2009, in the MDOT Auditorium at 1:30 PM.

David Litchliter made a motion to adjourn and Quincy Mukoro seconded the motion. The motion passed with none opposed.

Meeting adjourned at approximately 2:36 PM.